

REMARKS/ARGUMENTS

In response to the Office action of 11 September 2003, Applicant thanks the Examiner for the thorough review of the above referenced patent application. In responding to the Examiner's various objections and rejections, the Applicant provides the following remarks.

With regards to the Information Disclosure Statement ("IDS") previously filed in the present application, Applicant notes that such IDS (a copy of which is attached hereto) was filed on March 15, 2002 as evidenced by the attached photocopy of the USPTO date stamped return postcard. The Examiner is requested to consider the references noted on the previously submitted and enclosed Form PTO-1449 during examination of the present application. These references are submitted for the Examiner's consideration and are submitted pursuant to the duty of disclosure under 37 C.F.R. § 1.56. In submitting these references, no representation is made or implied that the references are or are not material to the examination of the application. The Examiner is encouraged to make his or her own determination of materiality. Copies of the references are provided.

Applicant also submits in conjunction herewith additional prior art references previously identified in the "Background of the Invention" section of the present application. Such additional prior art references are European Patent Number 0,468,126 and U.S. Patents Number 5,966,454 and 6,005,969. The Examiner is requested to consider the references noted on the enclosed Form PTO-1449 during examination of the present application. These references are submitted for the Examiner's consideration and are submitted pursuant to the duty of disclosure under 37 C.F.R. § 1.56. In submitting these references, no representation is made or implied that the references are or are not material to the examination of the application. The Examiner is encouraged to make his or her own determination of materiality. Copies of the references are provided. Since such references were not explicitly listed on the IDS of March 15, 2002, Applicant includes herewith a check for \$180, as set forth under 37 C.F.R. §§ 1.97(c)(2) and 1.17(p).

With regards to the drawing figures, Applicant attaches hereto replacement drawing figures of the photographs in Figures 2A, 2B, 4A, 4B, 6, 7, 8, 9, 9A, 9B, and 9C. Also, Figures 3 and 5 have been amended to correct for the spelling of "colour" with "color". As such, Applicant contends that all objections to the drawing have been overcome.

With regards to the objections to the disclosure and claims for grammatical and/or syntax errors, where noted by the Examiner and where otherwise detected by the Applicant, the specification and/or claims have been so corrected. As such, Applicant believes that the specification and claims are now in proper condition for allowance.

With respect to presently pending claims 94 - 104, Applicant thanks the Examiner for stating that “[c]laims 94 – 104 will be deemed allowable upon making this correction [to syntax].” (Examiner’s remarks, page 3) Applicant has so corrected such noted errors and therefore respectfully request the Examiner to allow claims 94 – 104.

With respect to the claims, Applicant hereby cancels claims 1 – 4, 19 – 22, 32 – 34, 43 – 49, 58 – 62, 71 – 79, 83 – 86, and 90 – 93. After cancellation of such claims, Applicant notes that of the originally filed claims, claims 5 - 18, 23 – 31, 35 – 42, 50 – 57, 63 – 70, 80 – 82, 87 – 89 and 94 – 104 remain pending. Further, with regards to claims 5 - 18, 23 – 31, 35 – 42, 50 – 57, 63 – 70, 80 – 82, and 87 – 89 (hereinafter, the “Objected to Claims”), Applicant notes that the Examiner objected to such claims “as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.” Applicant thanks the Examiner for noting such objections and allowable subject matter.

In response to the Examiner’s objection to the Objected to Claims, Applicant has amended these claims so as not to depend from a rejected base claim, including those limitations found in intervening claims. Applicant notes that dependent claim 5, as originally drafted, provided for multiple dependencies from claims 1 – 4. As such claim 5 has been amended to include the limitations of claim 1, while claims 105 – 107 have been added to include the various permutations of the additional limitations set forth in intervening claims 2 - 4. Further, dependent claims 6 and 35 have been amended to multiple depend from amended claims 5 and new claims 105 - 107. Also, claims 50, 63, 80, 87 and 94 have been amended so as to be rewritten in independent form including all of the limitations of any intervening claims. Last, claims 12, 50, 64, 78 and 94 have been amended to correct for grammatical and/or syntax errors, as requested by the Examiner in the Office action.


In making such amendments to the claims, Applicant contends that such amendments are not being made for purposes related to the patentability of such claims, because the limitations

set forth in each of such claims were already present by their dependencies upon other a previously pending independent claim and/or any such intervening claims. Further, Applicant contends that amendments made for purposes of grammar and/or syntax are not limited because they are not made for a reason related to patentability and instead are merely made for reasons of style and clarity. Therefore, Applicant contends that after entry of these amendments to the claims, claims 5 – 18, 23 – 31, 35 – 42, 50 – 57, 63 – 70, 80 – 82, 87 – 89 and 94 – 107 are in proper condition for allowance and that no equivalent subject matter has been surrendered by the present arguments and/or amendments.

Therefore, Applicant respectfully requests the Examiner to issue a timely Notice of Allowance in this case for all claims pending after entry of the foregoing amendments.

Respectfully submitted,

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